

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Jose Antonio GALLEGOS

Case No. 2:23-mj-151

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 03/08/2023 in the county of Madison in the
Southern District of Ohio, the defendant(s) violated:

Code Section

Offense Description

21 USC Section 841(a)(1) and (b)
 (1)(C)

Possesssion with Intent to Distribute a mixture or substance containing a
 detectable amount of cocaine

This criminal complaint is based on these facts:

See attached affidavit, which is incorporated by reference.

☒ Continued on the attached sheet.

TFO Jacob Heaberlin

Complainant's signature

Jake Heaberlin, TFO

Printed name and title

Sworn to before me and signed in my presence.

Date: 3/9/2023City and state: Columbus, Ohio

Chelsey M. Vascara
 United States Magistrate Judge

Judge's signature

Chelsey M. Vascara, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Jake Heaberlin, (hereafter referred to as affiant) being duly sworn depose and state:

INTRODUCTION

Affiant, Detective Jake Heaberlin of the Franklin County Sheriff's Office, Special Investigations Unit, DEA Task Force, being duly sworn does hereby state and depose as follows:

Your affiant, Jacob Heaberlin, is a Detective with the Franklin County Sheriff's Office assigned to the Drug Enforcement Administration (DEA) Columbus District Office (CDO). I have been employed by the Franklin County Sheriff's Office (FCSO) since April 2011, during which time I have worked in the Corrections Division, Training Academy, Patrol Bureau and most recently the Special Investigations Unit (SIU). I have participated in numerous investigations while on Patrol and within Special Investigations Unit, with a focus on narcotics possession and distribution.

I hold a Bachelor of Science degree from Urbana University (Criminal Justice) and an Ohio Peace Officer Training Academy – Basic Peace Officer certification. Through my career I have received the following specialized training, Patrol Drug Operations, Criminal Interdiction, Street Drug Recognition and Identification and Human Trafficking.

The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other law enforcement sources and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

1. On March 8, 2023, investigators from the Drug Enforcement Administration (DEA), Columbus District Office (CDO) received information from the Ohio State Highway Patrol (OSP) that they had seized approximately ten (10) kilograms of suspected cocaine during a traffic stop involving Jose Antonio GALLEGOS.
2. On the same date, OSP Sergeant Breck Williamson observed a white Dodge Charger (SUSPECT VEHICLE) bearing Texas registration RST-6974, commit numerous moving violations while travelling east bound on IR-70 toward Columbus, Ohio. Near mile post 78, OSP Sgt. Williamson initiated a traffic stop on the SUSPECT VEHICLE.
3. OSP Sgt. Williamson identified the driver and sole occupant of the SUSPECT VEHICLE as Jose Antonio GALLEGOS. OSP Sgt. Williamson stated that GALLEGOS displayed signs of nervousness and an unusual travel story.
4. An OSP Canine Officer, OSP Trooper McNamara was requested to the location of the traffic stop to perform a free air sniff around the suspect vehicle. Following the sniff of vehicle, OSP Sgt. Williamson advised GALLEGOS of his Miranda Warnings, and asked for consent to search the SUSPECT VEHICLE. GALLEGOS agreed and gave consent to OSP Sgt. Williamson to search the SUSPECT

VEHICLE. OSP Trooper McNamara sat with GALLEGOS while OSP Sgt. Williamson searched the SUSPECT VEHICLE.

5. During the consent search of the SUSPECT VEHICLE, OSP Sgt. Williamson located ten (10) kilogram sized packages, wrapped in black tape, in the seat backs of the driver and passenger seats. The packaging and concealment of the 10 kilogram packages was consistent with large scale illicit narcotics trafficking.

6. A short time later, DEA CDO investigators Task Force Officer (TFO) Jake Heaberlin and Special Agent (SA) Alexa Montesano arrived at the West Jefferson OSP post and conducted a post-arrest interview with GALLEGOS. GALLEGOS was again advised of his Miranda Warnings and waived those rights, wishing to speak to investigators.

7. GALLEGOS stated that he departed El Paso, Texas on Monday, March 6, 2023; then travelled to Ohio after stopping in Missouri. GALLEGOS stated that he responded to a Facebook advertisement asking for drivers to make narcotics deliveries. GALLEGOS stated that he knew he was transporting narcotics.

8. GALLEGOS stated that he picked up the narcotics from a Wal-Mart in El Paso, in a trash can. GALLEGOS stated he knew which trash to pick up based on the weight of the bag. GALLEGOS stated he was advised to take the narcotics to a Wal-Mart in the Boston, Massachusetts area and drop it off at another trash can by the front doors of that store.

9. GALLEGOS stated that he was paid \$5,000.00 for transporting the narcotics. GALLEGOS stated this was his first time transporting narcotics. GALLEGOS stated that the suspected narcotics are cocaine and a presumptive field test also indicated cocaine.

10. Based upon my training, experience and my review of the evidence gathered by agents and other investigators assigned to this investigation, there is probable cause to believe Jose Antonio GALLEGOS has violated 21 U.S.C 841(a)(1) and (b)(1)(C), Possession with Intent to Distribute a mixture or substance containing a detectable amount of cocaine. This affidavit is in support of a request for the issuance of a Federal complaint and Arrest Warrant for GALLEGOS.

TFO Jacob Heaberlin

Jake Heaberlin
Task Force Officer
Drug Enforcement Administration

Subscribed and sworn before me this 9th day of March, 2023

Chelsey M. Vascura

Honorable Chelsey M. Vascura
United States Magistrate Judge
Southern District of Ohio